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March 13, 2020

By ECF

Edward P. Boyle

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Honorable Barbara C. Moses
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Morgan Art Foundation Ltd. v. McKenzie*, No. 1:18-cv-4438-AT-BCM;
Morgan Art Foundation Ltd. v. Brannan, No. 1:18-cv-8231-AT-BCM

Dear Judge Moses:

I write as counsel for James Brannan as Personal Representative of the Estate of Robert Indiana (the “Estate”) in the above-referenced actions.

In connection with the Estate’s opposition to the Plaintiffs’ Motion for Sanctions, the Estate submitted the Declaration of John C. Vazquez dated March 4, 2020, which attached as Exhibit A an April 28, 2011 email. (See Dkt. 4438, ECF No. 236; Dkt. 8231 ECF No. 97). It has come to my attention that although Exhibit A to the Vazquez Declaration was accurately described and reproduced in the declaration, it is not the same document referred to in paragraph 14 of the Declaration of Luke Nikas in Support of Plaintiffs’ Motion for Sanctions (Dkt. 4438, ECF No. 214; Dkt 8231 ECF No. 87). Accordingly, I respectfully request that Your Honor disregard the second full paragraph on page 20 of the Estate’ Memorandum of Law in Opposition to Plaintiffs’ Motion for Sanctions (Dkt 4438, ECF No. 231, Dkt. 8231 ECF No. 92).

Respectfully,

A handwritten signature in blue ink, appearing to read "Edward P. Boyle".

Edward P Boyle

cc: All counsel of Record (by ECF)